

DATE
APPROVED:

CONSERVATION COMMISSION MINUTES FOR JANUARY 17, 2013

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MEMBERS PRESENT:

Chairman Ed Schwarz, Vice Chairman, Tom Failla, Robert Turner, Chris Spaulding, Cathy Minter, Michael Zegers and Ted von Rosenvinge

Also Present: David Pattee, acting Conservation Planner

Meeting on digital recording dated 1/17/13

Mr. Schwarz opened the January 17th Regular meeting of the Weston Conservation Commission at 7:30 p.m.

WALK DATE

The walk date was set for Saturday, February 9, 2013. The Commissioners will meet at Town Hall at 8:00 a.m.

RECEIPT OF APPLICATIONS

- K. Simitchieva, 9 Maureen Drive, in-ground pool
- Groves, 349 Goodhill Road, new modular house to replace existing house
- Pinsky, 118 Lyons Plain, pool (Aqua Pool)
- Manson, 184 Lyons Plain, wetland plantings, road sand removal on Town Property adjacent to Saugatuck River
- Shubber, 7 Smith Ridge, modification to approved plan to relocate generator

MOTION FOR RECEIPT

Mr. Pattee reported that the Simitchieva, 9 Maureen Drive, application is complete and appropriate for receipt. Mr. Schwarz made a motion to receive the application and Ms. Minter seconded. All in favor, the motion carried (7-0).

MOTION FOR RECEIPT

Mr. Pattee reported that the Groves, 349 Godhill Road, application is complete and appropriate for receipt. Mr. Schwarz made a motion to receive the application and Mr. Failla seconded. All in favor, the motion carried (7-0).

MOTION FOR RECEIPT

Mr. Pattee reported that the Pinsky, 118 Lyons Plain, application is complete and appropriate for receipt. Mr. Schwarz made a motion to receive the application and Ms. Minter seconded. All in favor, the motion carried (7-0).

MOTION FOR RECEIPT

Mr. Pattee reported that the Manson, 184 Lyons Plain, application is complete and appropriate for receipt. Mr. Schwarz made a motion to receive the application and Mr. von Rosenvinge seconded. All in favor, the motion carried (7-0).

DISCUSSION OF APPLICATION/DECISION: HAHN, 24 PARTRIDGE LANE, HOUSE ADDITION, DRAINAGE IMPROVEMENTS

Tom Ryder from LandTech came forward to present the application. He presented the plan for review and described proposal noting that the additions to the house were marked in the darker color. He also described the new drainage proposal noting that there will be no additional water going into the drain system, and it has been designed for a 50 year storm. He stated that it will be at or lower than the present amount of runoff. Mr. Schwarz questioned what they will be doing to protect the wetlands from erosion and debris and Mr. Ryder noted that the silt fencing is indicated on the plan. He further noted that the wetlands will be protected by a grading plan and all drainage is running away from the wetlands. Mr. Ryder explained that any excavated material will be trucked away except for a small stockpile area protected by tarp and silt socks. Discussion and questions ensued.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application as shown on plans prepared by LandTech dated 12/12/12, subject to the following conditions:

A. Filing of the contractor's statement.

B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity. The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records:

“No regulated activity as defined in the Public Inland Wetland Watercourse Act of the State of Connecticut Regulations as well as the Town of Weston's Regulations as the same and from time to time as may be amended, shall be permitted in those areas designated and shown as wetlands on the aforementioned maps.” The wetland areas as well as any agreed to “buffer zones” designated on the aforementioned maps shall be established as areas whose natural and indigenous character shall be henceforth preserved and not encroached upon for any use that would alter the natural character of the land”.

D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, "Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section."

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

Ms. Minter seconded the motion. All in favor, the motion carried (7-0).

DISCUSSION CONT:/DECISION: BRANDSTROM, 26 NORFIELD ROAD, REQUEST FOR BOND REDUCTION

David Soloway, representing the owners, came forward and presented pictures of the current status of the work. He noted that all the slopes are stabilized and planted. Mr. Pattee noted that he has been to the property recently and all the trees and major shrubs are in and looking healthy. Mr. Failla commented that the Commission had asked for a lot of work to be done and now it has been substantially completed. Discussion on the amount to reduce ensued.

MOTION TO REDUCE BOND

Mr. Failla made a motion to reduce the bond from \$25,000 to \$5,000. The \$5,000 is to be retained so that any of the plantings that do not survive the winter can be replaced and to ensure that the drainage system works with the new driveway. Mr. Schwarz seconded the motion. All in favor, the motion carried (7-0).

MODIFICATION: SHUBBER, 7 SMITH RIDGE, RELOCATION OF GENERATOR

Mr. Shubber stated that his request for a variance for the location of the generator was denied and he must now move the generator to the proposed location.

MOTION FOR APPROVAL

Mr. Failla made a motion to approve the modification to his prior approval to move the generator location in the westerly direction, 40 ft. as shown on a plan dated 2/13/12 and prepared by Environmental Land Solutions, amended, signed and dated today 1/17/13 by Mr. Shubber. Mr. Schwarz seconded the motion. The motion carried (6-1[Minter]).

DISCUSSION CONT./DECISION: NOTICE OF VIOLATION AT COBBS MILL INN, 12 OLD MILL RD., BRIDGE PATHS & ELECTRICAL CONDUITS

Pete Romano from LandTech came forward representing Mr. Friedman, owner of Cobbs Mill Inn. He noted that they have hired a surveyor, and they have covered the pile of stone dust and they can put hay bales down tomorrow. Mr. Failla told Mr. Romano that the Commission would give them 2 weeks to submit a remediation plan.

MOTION

Mr. Schwarz made a motion to modify the Commission's decision regarding the fine. The \$1,000 per day fine that was imposed will be held in abeyance contingent upon the applicant submitting a remediation plan by 1/23/2013. If the plan is not submitted within that time frame, then the fine will revert back to the \$1,000 per day beginning on January 11, 2013. Mr. Zegers seconded the motion. All in favor, the motion carried (7-0).

APPROVAL OF MINUTES

Mr. Failla made a motion to approve the Minutes from the December 18, 2012 meeting, as amended, and Ms. Minter seconded. All in favor, the motion carried (6-0 [abstain von Rosenvinge]).

ELECTION OF CHAIRMAN AND VICE CHAIRMAN FOR 2013

Mr. Failla nominated Ed Schwarz to remain as Chairman and Mr. Schwarz nominated Mr. Failla to remain as Vice Chairman. All in favor, the motions carried (7-0).

OTHER BUSINESSStatus Report – 12/28/12 oil spill at 153 Valley Forge Road (D.Pattee)

Mr. Pattee gave an update on the oil spill at 153 Valley Forge Road and his conversations with the State DEEP representative.

MOTION

Mr. Failla made a motion to direct the Land Use office to send a Notice of Violation to the owner of the property, based on the recommendations from Darcy from the DEEP. Mr. Schwarz seconded the motion. All in favor, the motion carried (7-0).

MOTION TO ADJOURN

Mr. Failla made a motion to adjourn the meeting and Mr. Spaulding seconded. All in favor, the meeting adjourned at 9:30

Respectfully submitted,

Delana Lustberg
Recording Secretary